

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
PANAMA CITY FIELD OFFICE, JACKSONVILLE DISTRICT CORPS OF ENGINEERS
475 HARRISON AVENUE, SUITE 202
PANAMA CITY, FLORIDA 32401

April 26, 2004

Regulatory Division
North Permits Branch
Panama City Regulatory Office

NATIONWIDE PERMIT VERIFICATION

Applicant: Florida Department of Transportation
File No.: SAJ-2004-706 (NW-TLZ)

Your project has been reviewed in accordance with your application and drawings received January 5, 2004. This verifies that the proposed maintenance is authorized by Nationwide Permit No. 3 in accordance with the regulations as stated in the January 15, 2002, Federal Register, Notice of Issuance of Nationwide Permits (67 FR 2020). This verification is valid for two years from the date of this letter, unless this Nationwide Permit is modified, reissued, or revoked. It is incumbent on you to remain informed of changes in these nationwide permits. We will issue a public notice announcing any changes when they occur.

- 1. Within 60 days of completion of the work authorization and mitigation (if applicable), the attached "Self-Certification Statement of Compliance" must be completed and submitted to the U.S. Army corps of Engineers. Mail the completed form to the Regulatory Division, Enforcement Branch, Post Office box 4970, Jacksonville, Florida 32232-0019.**
- 2. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.**
- 3. The permittee understands and agrees to abide by numbers 1, 2, 4, 5, and 6 of the Manatee Special Conditions, dated March 15, 1995 (copy enclosed).**

In the event that you have not completed construction of your project within the above time limit, a separate application or reverification will be required. A separate Department of the Army permit is not required providing the work is done in accordance with the drawings and information as

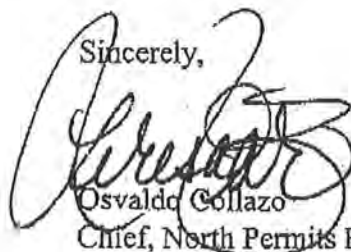
provided in your request, the conditions listed in January 15, 2002, Federal Register, Notice of Issuance of Nationwide Permits (67 FR 2020), (Nationwide Permit Conditions), and any appropriate regional conditions enclosed.

This letter does not obviate the requirement to obtain any State or local permits, which may be necessary for your proposed work. You should check State permitting requirements with the Florida Department of Environmental Protection (DEP) or the appropriate Water Management District (WMD). In Florida, projects qualifying for this NWP must be authorized under Part IV of Chapter 373 by the Department of Environmental Protection, a water management district under s. 373.069, F.S., or a local government with delegated authority under s. 373.441, F.S., and receive Water Quality Certification (WQC) and Coastal Zone Consistency Concurrence (CZCC) or waiver thereto, as well as any authorizations required for the use of sovereignty submerged lands that must be obtained as part of the associated WQC or CZCC.

The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. Information may be requested from the Chief, Flood Control and Floodplain Management Branch, U.S. Army Corps of Engineers, Attn: CESAMPD-FS, P.O. Box 2288, Mobile, Alabama 36628-0001.

Enclosures

Sincerely,



Osvaldo Collazo

Chief, North Permits Branch

**SAJ-2004-706 (NW-TLZ)
REQUEST FOR PERMIT TRANSFER:**

When the structures or work verified by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, the transferee should sign and date below.

(Signature) (Date) _____ (Transferee)

(Name - Printed) (Lot/ Block)

(Street Address)

(City, State, and Zip Code)

Flood Plain Information:

A nationwide permit verification does not give absolute authority to perform the work as specified on your application. The proposed work may be subject to local building permits to determine if your site is located in a flood-prone or floodway area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program. If the local office cannot provide you the necessary information, you may provide this office a letter with small scale map showing the location of the site, requesting a flood-hazard evaluation of the site. The request should be addressed to the **Chief, Flood Control and Floodplain Management Branch, U.S. Army Corps of Engineers, Attn: CESAMPD-FS, P.O. Box 2288, Mobile, Alabama 36628-0001.**

Nationwide Compliance Certification
Nationwide Number 3

Permit Number: SAJ-2004-706 (NW-TLZ)

Name and Address

Telephone Number:

Location of the Work:

Description of the Work (e.g. bank stabilization, residential fill etc.)

Type and acreage (or square feet) of the loss of Waters of the United States (jurisdictional wetlands)(e.g. 1/10 acre of marsh and 50 square feet of a stream):

Description of Mitigation Completed (if applicable):

I, _____, certify that the work was done as described in the authorization letter dated _____ and all work and required mitigation (if applicable) was completed in accordance with the permit conditions.

Signature of Permittee

Date

Northwest Florida Water Management District

81 Water Management Drive, Havana, Florida 32333-4712
(On U.S. Highway 90, 10 miles west of Tallahassee)
(850) 539-5999 * Suncom: 793-5999 * Fax: (850) 539-2777
<http://myflorida.com/nwfwmd>

FAX TRANSMITTAL

TO: Teresa Zar

AGENCY: COE - Panama City

FROM: Duncan Cairns

AGENCY: Northwest Florida Water Management District

DATE: April 13, 2004

RE: SR 65 Mitigation

FAX NO: 850-872-0231

NUMBER OF PAGES (including this page): 13

If there is any problem, please telephone our receptionist at (850) 539-5999.

COMMENTS:

REGIONAL MITIGATION PLAN

BACKGROUND INFORMATION					
Water Management District: Northwest Florida Water Management District (NFWFMD)					
Mitigation Project Name: Doyle Creek Wetlands / Tates Hell				Project Number (Provided by FDEP):	
Project Manager: Duncan J. Cairns				Phone Number: 850-539-5999	
County of Impact: Franklin					
Location of Mitigation Project (Central Lat/Long): 29° 52' N / 84° 55' W (Township 7S Range 7W)					
IMPACT INFORMATION					
FDOT FIN#: 4039301		ERP #: Not Applicable		COE#	
Drainage Basin: Apalachicola River Watershed					
Water Body: "Numerous Creek Basins" including Doyle Creek				SWIM Water Body?: Yes	
Acres and Types of impact to be offset:		2.27 Acres		411 (FLUCCS Code)	
MITIGATION ENVIRONMENTAL INFORMATION					
Mitigation Type:	Creation	x Restoration	- x Enhancement	Preservation	Mitigation Area (Acres): 25+ acres
SWIM Project?: No		Aquatic Plant Control Project?: No		Exotic Plant Control Project?: No	
Mitigation Bank?: No		If yes, give FDEP/WMD Mitigation Bank Permit #: Not Applicable			COE #: Not Available
Drainage Basin: Apalachicola River Watershed					
Water Body: Doyle Creek Wetlands in Tates Hell Swamp				SWIM Water Body?: Yes	
Project Description					
A. Overall project goal:					
Restoration/enhancement of wetlands within the Doyle Creek drainage of western Tates Hell State Forest, coupled with implementation of long-term ecological management.					
B. Brief description of current condition:					
Some 150,000+ acres of Tates Hell Swamp have been acquired by the NFWFMD and the State of Florida. Much of the swamp was drained and converted to pine plantation during the 1960s. Logging roads crisscross the swamp and have caused severe hydrologic disturbance. There is substantial encroachment of titi and other invasive plants.					

C. Brief description of proposed work:

To mitigate for the anticipated 2.27-acre impact in Franklin County (SR 65), 18,000 feet of logging roads and associated ditching in the Doyle Creek drainage of Tates Hell will be eliminated by pushing road-fill back into the adjacent ditches and grading to natural, pre-disturbance elevations. The road footprint (~25 acres) will be re-vegetated with appropriate wetland species (cypress / wiregrass). Low-water crossings or culverts will be installed at three points to facilitate hydrologic enhancement. Additional acres within the restoration site may be re-vegetated, as necessary, to compensate for any changes in the estimated wetland losses associated with SR 65. The mitigation site will be managed by DOF in perpetuity for habitat restoration and ecological integrity, including implementation of appropriate fire regime, in accordance with the DOF Tates Hell State Forest management plan. Appropriate BMPs (e.g., silt fences, etc) will be used during all construction phases.

D. Brief explanation of how this work serves to offset the impacts of the specified DOT project(s):

The Doyle Creek Wetlands / Tates Hell mitigation site is in the same watershed as the FDOT impacts, has wetlands similar to the impact wetlands (hydric pine flatwoods / wet savanna / cypress flats), and is within 2 miles of impact wetlands. Ratios will be in the 10:1 range.

E. Brief explanation of why a mitigation bank was/was not chosen, including a discussion of cost:

No permitted mitigation banks exist in the Apalachicola River watershed or are proximate to the impacts.

F. Brief explanation of why a SWIM project was/was not chosen as mitigation, in whole or in part, including a discussion of cost, if the anticipated impacts are located within a SWIM water body:

No appropriate SWIM project has been identified for funding the necessary mitigation for this FDOT impact.

MITIGATION PROJECT IMPLEMENTATION

Entity responsible for construction: Northwest Florida Water Management District

Contact Name: Duncan J. Cairns (Duncan.Cairns@nwfwm.d.state.fl.us)

Phone Number: 850-539-5999

Entity responsible for monitoring and maintenance: Northwest Florida Water Management District

Proposed timeframe for implementation

Commence Date: 2004

Complete Date: TBD

Total Project Cost (attach itemized cost estimate): \$ 195,558 (based on \$ 86,149 / Impact Acre)

Attachments	
X	1. Detailed description of existing site and proposed work.
X	2. Location map and design drawings of existing and proposed conditions.
X	3. Recent aerial photograph with date and scale showing impact sites and mitigation area
X	4. Recent aerial photograph showing proposed mitigation area.
X	5. Historic aerial photography showing area prior to road impoundment
X	6. Current site conditions showing berm road and conversion of bottomland forested wetland to marsh
X	7. Detailed schedule for work implementation, including any and all phases
X	8. Long-term maintenance plan.
X	9. Detailed explanation of how this work serves to offset the impacts of the specified DOT project(s).

ATTACHMENT FOR MITIGATION PLAN FOR SR 65

Impact: SR 65—2.27 acres (current estimate, subject to modification)

FDOT FIN: 4039301

Mitigation: Doyle Creek Wetlands / Tates Hell Swamp

SCOPE

Repaving and shoulder improvement of SR 65 in Franklin County from US 98 north to the Liberty County line is anticipated to impact 2.27 acres of wetlands (wet flatwoods per FDOT Inventory). This estimate of wetland impact is subject to modification as FDOT proceeds with the road project. Any measures taken to avoid and minimize wetland impacts are the responsibility of FDOT. The NFWFMD is responsible for designing and implementing mitigation based on estimates of impacts (acreage, FLUCCS type and functional assessment when attainable) provided by FDOT.

In order to plan for sufficient mitigation, for purposes of developing this mitigation plan, it is assumed that the wetlands being impacted are of the highest quality and will be completely destroyed. In actuality, the impacted wetlands are lower quality roadside areas diminished by right-of-way maintenance (mowing, etc.), runoff, and altered hydrology from ditches and berms.

PROJECT GOAL

The goal of this mitigation plan is to adequately compensate for the loss of wetlands and wetland function associated with the FDOT project. To accomplish this, the NFWFMD intends to restore, enhance and preserve wetlands within the Doyle Creek drainage in the western portion of Tates Hell State Forest. Tates Hell State Forest is owned by the State of Florida and is managed by the Florida Division of Forestry (DOF). Measures will be taken to ensure perpetual preservation and ecological management of wetlands used for mitigation of this FDOT project. These measures will include sufficient funds for long term management. Ecological preservation and management of the mitigation site will be incorporated into DOF's Tates Hell Management Plan. After consideration by NFWFMD staff in consultation with DOF staff, the site described below was determined to be appropriate for mitigation. There are no other plans or funding available for this proposed mitigation. It is anticipated that mitigation activities on the site will be initiated in 2004.

MITIGATION SITE

The proposed mitigation site is in the Doyle Creek drainage in Tates Hell Swamp. It consists of cutover pine plantation which, per the Florida Natural Areas Inventory, historically was a mosaic of wet pine flatwoods, open savanna, and cypress flats. The proposed mitigation

area is within two miles of wetland impacts on SR 65. The area under consideration was clear cut in the late 1990s and roller chopped once. The NFWWMD proposes to eliminate 18,000 feet of logging roads and associated ditching by pushing the road-fill into the adjacent ditches, reestablishing natural grade, and re-vegetating the road footprint (~25 acres), as appropriate, with wiregrass plugs (*Aristida stricta*) planted on 4-foot centers. Cypress (*Taxodium* spp.) may also be planted in appropriate areas of the road footprint. Additionally, the NFWWMD will install three low-water crossings and/or culverts south and downstream of the mitigation site to enhance hydrologic flows. These low-water crossings and/or culverts are not directly associated with the road removals. Additional areas may be re-vegetated, as necessary, to compensate for any changes in the estimate of wetland impacts.

Florida Division of Forestry staff at Tates Hell State Forest are supportive of this restoration proposal. However, there are no existing State Forest plans or funding available to implement this proposed restoration and enhancement. Using FDOT mitigation dollars to restore the site would not constitute a supplanting of other funding. The NFWWMD has had success working with Tates Hell State Forest in restoring other sections of Tates Hell Swamp. The NFWWMD will be responsible for ensuring that the restored area will be managed by DOF for ecological integrity in perpetuity in accordance with the DOF Tates Hell State Forest management plan. Management will include implementation of an appropriate fire regime.

TATES HELL STATE FOREST

Tates Hell Swamp covers some 200,000 acres (>300 mi²) of low-lying, poorly drained land between the Apalachicola and Ochlockonee rivers in the Florida Panhandle. Although this area historically was dominated by a variety of wetland types including wet savanna, wet flatwoods, cypress strands and hardwood swamps, much of the swamp was converted to slash pine (*Pinus elliotii*) plantation during the 1960s and 1970s. Degradation of Tates Hell from silvicultural operations included the construction of over 800 miles of logging roads and drainage ditches, and the establishment of bedded pine stands. These actions disrupted natural flow patterns and caused a lowering of the water table across large sections of the swamp and ponding of some specific locations due to road construction. With the replacement of much of the natural vegetation with stands of bedded pine, the natural functions and biotic diversity (flora and fauna) of the swamp also were severely impacted.

The ecological health of the Apalachicola Bay is strongly influenced by freshwater flows from Tates Hell. In the early 1990s, the NFWWMD and the State of Florida began acquiring portions of Tates Hell Swamp for wetland habitat preservation and to forestall further water quality declines. Public acquisitions now total some 150,000 acres (i.e., approximately 75% of the swamp), and are managed by the Florida Division of Forestry (DOF). Since 1993, the Northwest Florida Water Management District (NFWWMD), working with DOF, has conducted restoration of portions of Tates Hell Swamp. A long-term vision is eventual restoration of the natural communities of the entire swamp. This mitigation project will complement these ongoing efforts by focusing on an area not previously slated for restoration activities.

NATURAL RESOURCE MANAGEMENT

The NFWWMD will reach agreement with the Florida Division of Forestry (DOF) to ensure long-term management to preserve ecological and water resources. This will include incorporation of preservation strategies within the DOF Tates Hell Management Plan and provision of adequate funds for long-term preservation and ecological management.

The stated mission of the Florida Division of Forestry is to protect and maintain the biological diversity of the many ecosystems found in and around the state forests while integrating public use of the resources.

SUCCESS AND MONITORING CRITERIA

- Soils on road footprint stabilized to prevent offsite discharges of turbid flows
- BMPs (e.g., silt fences/curtains, hay bales) during all construction phases
- Minimum 80% native groundcover dominated by wiregrass within five years of restoration
- No more than 1% coverage of invasive or exotic plant species
- 80% survival planted cypress within five years of restoration
- Annual photo documentation of restoration at permanent photo points for five years

APPLIED MITIGATION RATIO AND FUNCTIONAL ASSESSMENT

Mitigation ratios and/or functional assessment analyses, if necessary, will be determined through consultation with permitting agencies. At present, the NFWWMD is proposing ~10:1 (ratio of mitigation acres to impact acres).

FUNDING

Funding for mitigation activities would come from FDOT mitigation funds. At a maximum rate of \$86,149 per acre of impacted wetland, 2.27 acre of wetland impact would result in \$ 195,558 in funding. All reasonable attempts will be made to maximize cost savings throughout this project.

Preliminary Cost Estimates	
Planning (5%)	10,000
Low-Water Crossings / Culverts (15%)	30,000
Road Removal / Footprint Re-vegetation (52%)	100,000
Long-term Monitoring / Management (28%)	55,558
Total	\$195,558

WORK SCHEDULE

2004

- Coordination with Florida Division of Forestry (Tates Hell State Forest)

2004/2005

- Implement mitigation plan
 - Removal of 18,000 feet of logging roads and associated ditching
 - Re-vegetation of road footprint (~25 acres)
 - Installation of low-water crossings and/or culverts

2004 – 2009

- Annual monitoring / reports

NFWFMD PERSONNEL TO IMPLEMENT MITIGATION

Robert F. Lide – Environmental Scientist

David Clayton – Environmental Scientist

Duncan J. Cairns – Chief, Environmental and Resource Planning Bureau

Dan L. Tonsmeire – Associate Water Resources Planner

Ron Bartel – Director, Resource Management Division

Other NFWFMD personnel may be called upon as needed.

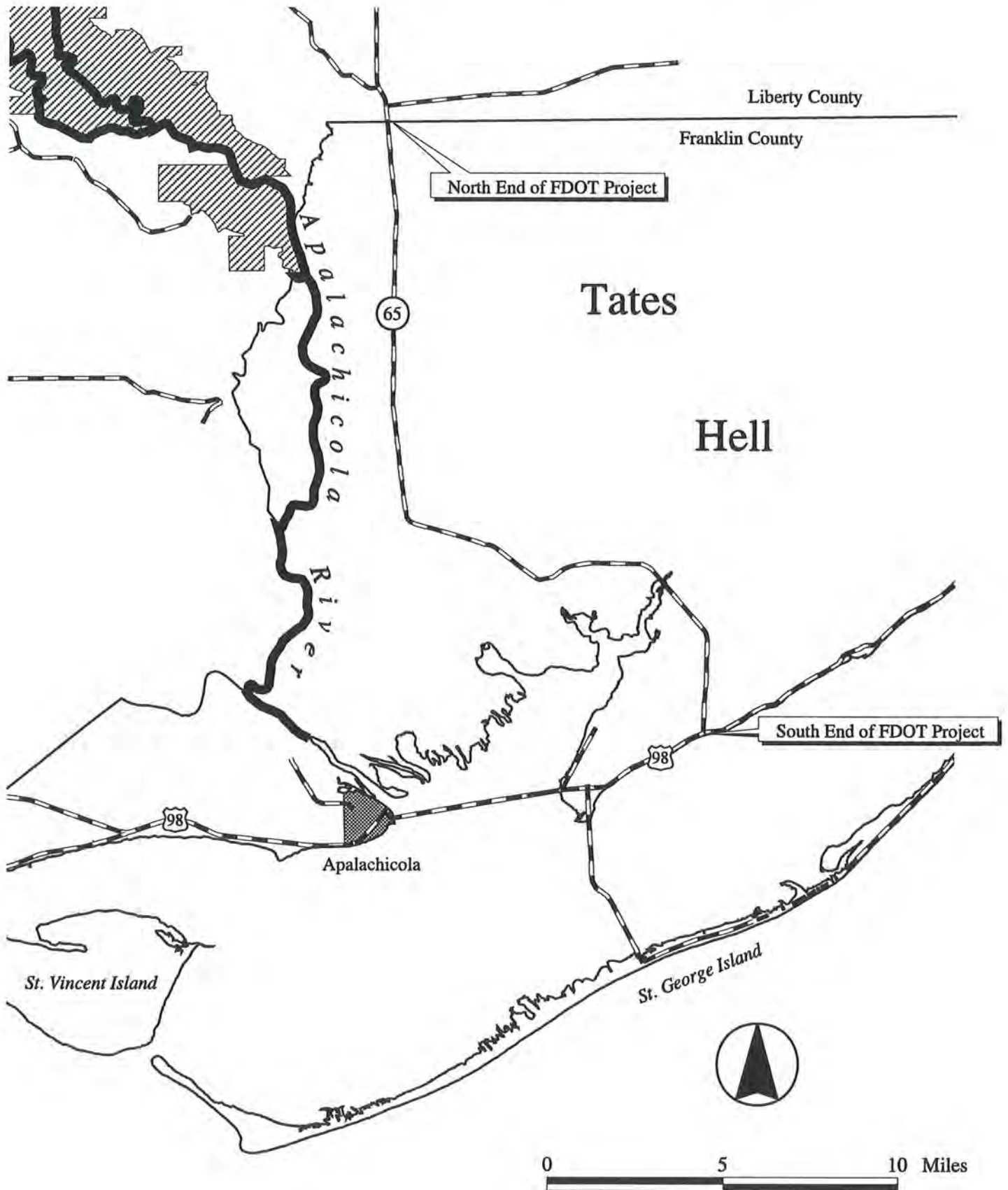
CONTINGENCY PLANS

Ample wetland restoration/enhancement opportunities exist within the western portions of Tates Hell State Forest. In the unlikely event the NFWFMD is unable to implement mitigation in a section of Tates Hell specifically approved by permitting agencies, measures will be taken, in consultation with the permitting agencies, to implement other appropriate mitigation elsewhere within Tates Hell State Forest. If targeted native groundcover and cypress survival is

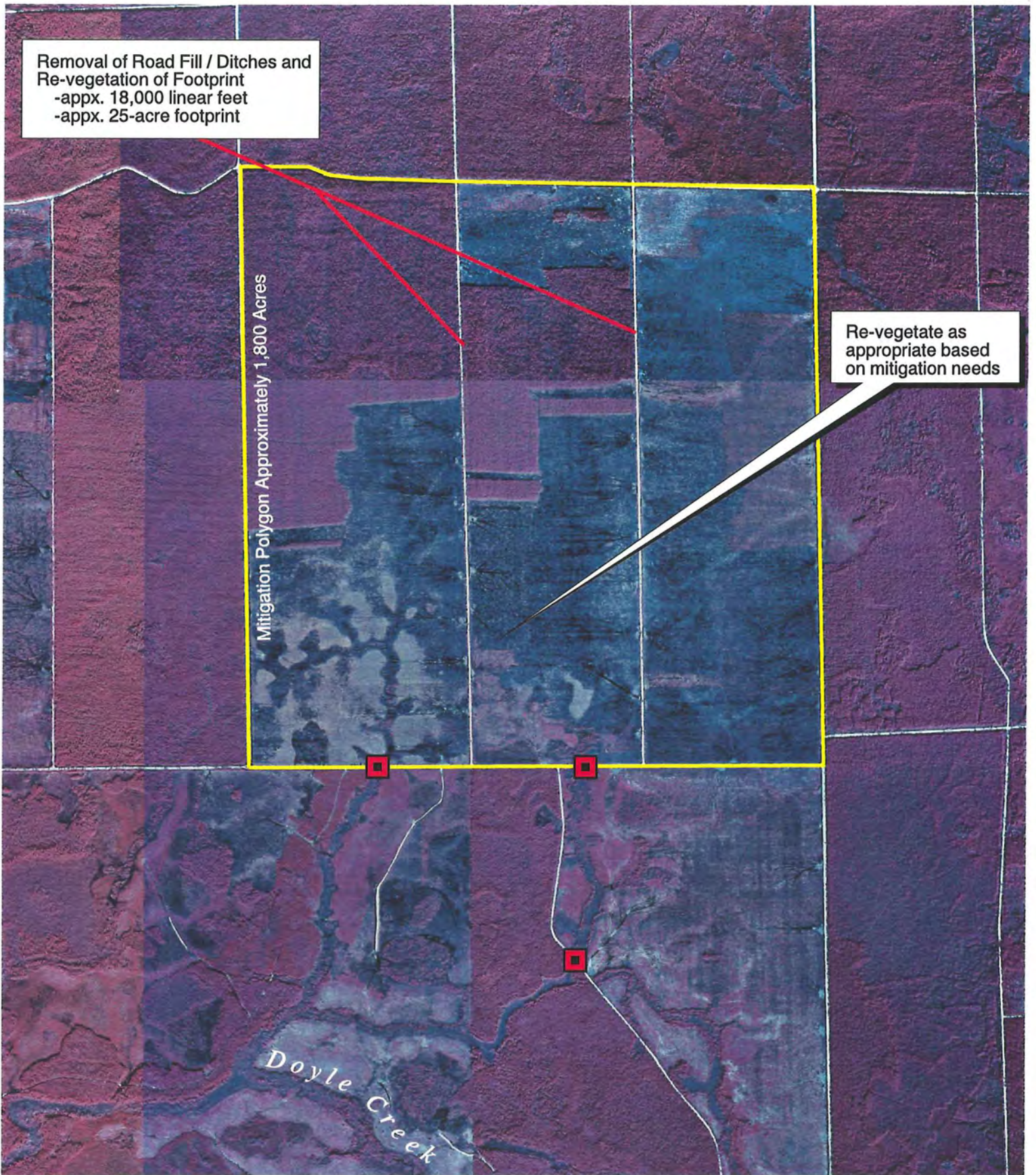
not attained within five years, as documented by monitoring and success criteria, additional plantings will be done. The area chosen as a mitigation site can easily be expanded should the anticipated FDOT wetland impacts increase.

SR 65 - FIN 4039301

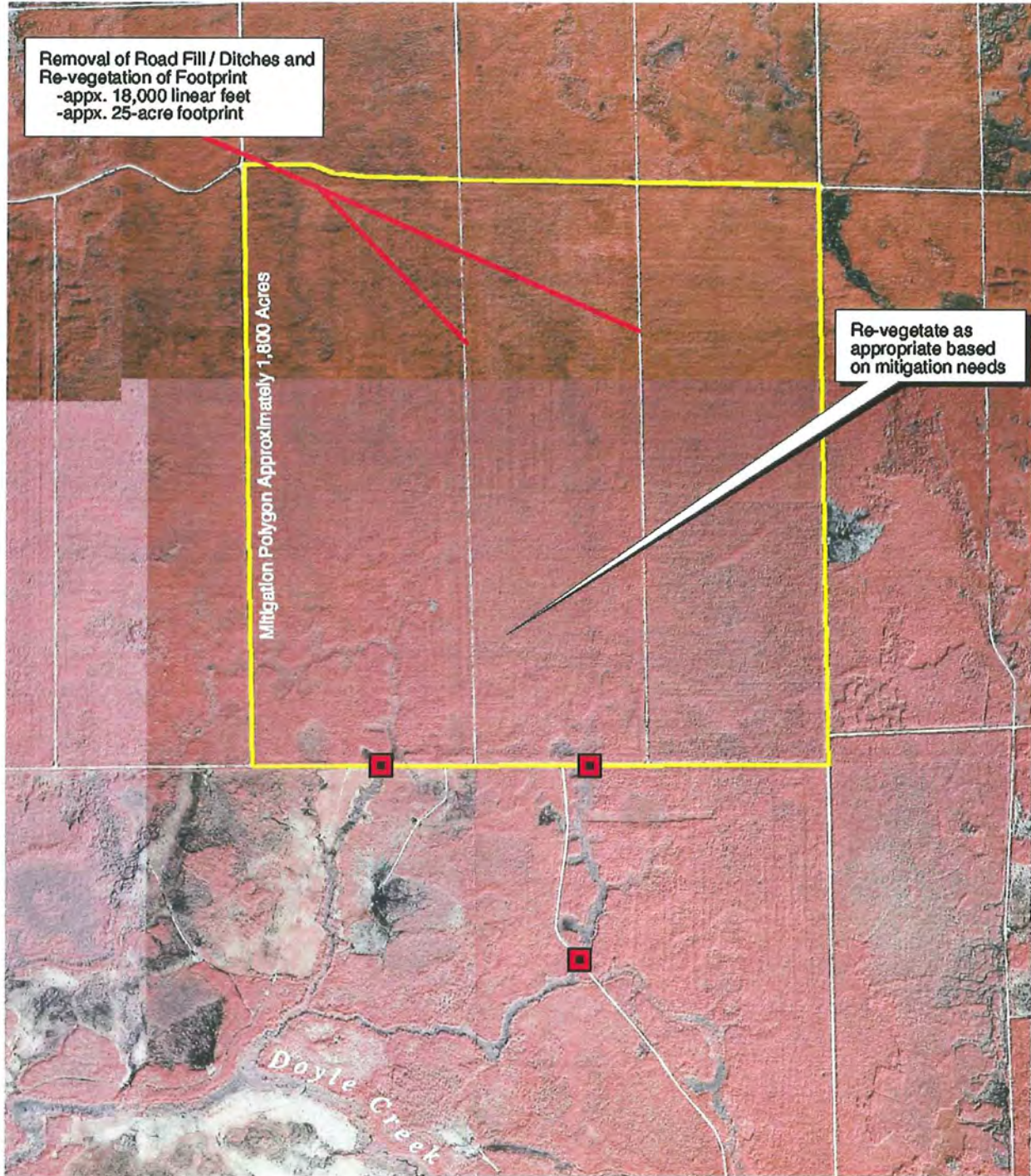
(from US 98 SR 77 north to Liberty Co. Line; 2.27 acres of impact)



Doyle Creek Wetlands Mitigation Site



Doyle Creek Wetlands Mitigation Site



Doyle Creek Wetlands Mitigation Site

